



General Assembly

February Session, 2006

Substitute Bill No. 5664

* _____HB05664TRA____031306_____*

AN ACT CONCERNING THE DEPARTMENT OF TRANSPORTATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-262 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The following vehicles shall not be operated upon any highway
4 or bridge without a special written permit from the Commissioner of
5 Transportation, as provided in section 14-270, as amended, specifying
6 the conditions under which they may be so operated:

7 (1) A vehicle, combination of vehicle and trailer or commercial
8 vehicle combination, including each such vehicle's load, which is
9 wider than one hundred two inches or its approximate metric
10 equivalent of two and six-tenths meters or one hundred two and
11 thirty-six-hundredths inches, including its load, but not including the
12 following safety devices: Reasonably sized rear view mirrors, turn
13 signals, steps and handholds for entry and egress, spray and splash
14 suppressant devices, load-induced tire bulge and any other state-
15 approved safety device which the Commissioner of Transportation
16 determines is necessary for the safe and efficient operation of such a
17 vehicle or combination, provided no such state-approved safety device
18 protrudes more than three inches from each side of the vehicle or
19 provided no such device has by its design or use the capability to carry
20 cargo. Such permit shall not be required in the case of (A) farm

21 equipment, (B) a vehicle or combination of vehicle and trailer loaded
22 with hay or straw, (C) a school bus equipped with a folding stop sign
23 or exterior mirror, as approved by the Commissioner of Motor
24 Vehicles, which results in a combined width of bus and sign or bus
25 and mirror in excess of that established by this subsection, [or] (D) a
26 trailer designed and used exclusively for transporting boats when the
27 gross weight of such boats does not exceed four thousand pounds, or
28 (E) a recreation vehicle with appurtenances, including safety devices
29 and retracted shade awnings, no greater than six inches on each side
30 for a maximum allowance of twelve inches; and

31 (2) A combination of truck and trailer which is longer than sixty-five
32 feet except (A) a combination of truck and trailer or tractor and
33 semitrailer loaded with utility poles, both trailer and semitrailer
34 having a maximum length of forty-eight feet, utility poles having a
35 maximum length of fifty feet and the overall length not to exceed
36 eighty feet, (B) a trailer designed and used exclusively for transporting
37 boats when the gross weight of such boats does not exceed four
38 thousand pounds, (C) a tractor-trailer unit, (D) a commercial vehicle
39 combination, (E) combinations of vehicles considered as specialized
40 equipment in 23 CFR 658.13(e), as amended, or (F) a tractor equipped
41 with a dromedary box operated in combination with a semitrailer
42 which tractor and semitrailer do not exceed seventy-five feet in overall
43 length.

44 (b) A special written permit may not be issued by the Commissioner
45 of Transportation for a combination of vehicles consisting of a vehicle
46 drawing a combination of three or more trailers or semitrailers, except
47 any such combination engaged in the transportation of an indivisible
48 load.

49 (c) The maximum length of a single unit vehicle shall be forty-five
50 feet and the maximum length of the semitrailer portion of a tractor-
51 trailer unit shall be forty-eight feet. A trailer greater than forty-eight
52 feet and less than or equal to fifty-three feet in length, that has a
53 distance of no more than forty-three feet between the kingpin and the

center of the rearmost axle with wheels in contact with the road surface, may be operated on (1) unless posted otherwise, United States and Connecticut routes numbered from 1 to 399, inclusive, 450, 476, 508, 693 and 695 and the national system of interstate and defense highways, and (2) state and local roads for up to one mile from the routes and system specified in subdivision (1) of this subsection for access to terminals, facilities for food, fuel, repair and rest, and points of loading and unloading. The Commissioner of Transportation shall permit additional routes upon application of carriers or shippers provided the proposed additional routes meet the permit criteria of the Department of Transportation. Such length limitation shall be exclusive of safety and energy conservation devices, such as refrigeration units, air compressors or air shields and other devices, which the Secretary of the federal Department of Transportation may interpret as necessary for the safe and efficient operation of such vehicles, provided no such device has by its design or use the capability to carry cargo.

(d) Violation of any provision of this section shall be subject to a fine of five hundred dollars.

Sec. 2. Section 14-264 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No vehicle, except a vehicle loaded with loose hay or straw whose height, with its load, exceeds [thirteen feet six inches] fourteen feet, shall be operated upon any highway or bridge without a special written permit from the Commissioner of Transportation as provided in section 14-270, as amended, specifying the period for which and the other conditions under which such vehicle shall be permitted to be so operated. Violation of the provision of this section shall be subject to a fine of one thousand five hundred dollars.

Sec. 3. Section 15-13c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is created within the Department of Transportation, for

86 administrative purposes only, the Connecticut Pilot Commission to
87 assist and advise the Commissioner of Transportation on matters
88 relating to the licensure of pilots, the safe conduct of vessels and the
89 protection of the ports and waters of the state, including the waters of
90 Long Island Sound.

91 (b) The commission shall consist of nine members, one of whom
92 shall be the Commissioner of Transportation or the commissioner's
93 designee and one of whom shall be an active licensed pilot in this state
94 operating on the Connecticut side of the rotation system for the
95 assignment of pilots. The pilot member shall be designated by a simple
96 majority vote of pilots operating on the Connecticut side of the rotation
97 system for the assignment of pilots. The remaining seven members
98 shall be appointed as follows: The Governor shall appoint one member
99 representing a maritime-related industry, which industry shall not
100 include a recreational industry; the president pro tempore of the
101 Senate shall appoint one member representing the public with an
102 interest in the environment; the majority leader of the Senate shall
103 appoint one member representing the public with an interest in the
104 environment; the minority leader of the Senate shall appoint one
105 member who shall be a retired ship's master or captain; the speaker of
106 the House of Representatives shall appoint one member representing a
107 maritime-related industry, which industry shall not include a
108 recreational industry; the majority leader of the House of
109 Representatives shall appoint one member representing a maritime-
110 related industry, which industry shall not include a recreational
111 industry; the minority leader of the House of Representatives shall
112 appoint one member with an expertise in the area of admiralty law.
113 Each member shall be a resident of the state, provided no member
114 shall be an active licensed pilot, except the one active Connecticut
115 licensed pilot operating in and designated by a simple majority of
116 pilots operating on the Connecticut side of the rotation system for the
117 assignment of pilots. Members shall be reimbursed for necessary
118 expenses incurred in the performance of their duties.

119 (c) On or before July 1, 1992, in accordance with the provisions of

120 subsection (b) of this section (1) the Governor, the speaker of the
121 House of Representatives and the majority leader of the Senate shall
122 each appoint one member who shall serve until July 1, 1996; (2) the
123 president pro tempore of the Senate, the majority leader of the House
124 of Representatives and the minority leader of the House of
125 Representatives shall each appoint one member who shall serve until
126 July 1, 1995; and (3) the minority leader of the Senate shall appoint one
127 member who shall serve until July 1, 1994. Thereafter, members shall
128 serve for a term of four years and any vacancies on the commission
129 shall be filled for the remainder of the term in the same manner as the
130 original appointment.

131 (d) The Governor shall appoint the chairperson of the commission
132 who shall not be an employee of the Department of Transportation.
133 The commission shall elect a vice-chairperson and any other officers
134 that it deems necessary from among its membership. The powers of
135 the commission shall be vested in and exercised by not less than [three]
136 five members serving on the commission. This number shall constitute
137 a quorum and the affirmative vote of [three] five members present at a
138 meeting of the commission shall be necessary for any action taken by
139 the commission.

140 (e) The commission shall [advise the commissioner on the following
141 matters] set: (1) The required qualifications of pilots for eligibility for
142 licensure, including background, training, length of service and
143 apprenticeship; (2) examination requirements for obtaining a pilot's or
144 other type of operating license; and (3) the appropriate number of
145 state-licensed pilots necessary for the safe, efficient and proper
146 operations in the ports and waters of the state, including the waters of
147 Long Island Sound. [; (4)]

148 (f) The commission shall advise the commissioner on (1) the
149 establishment of fair and reasonable rates of pilotage, pursuant to
150 section 15-14, including establishment of a hearing process for the
151 setting of fair and reasonable rates of pilotage and licensure fees; [(5)]
152 (2) the policy of the state on the establishment of a rotation system for

153 the assignment of pilots; [(6)] (3) the policy of the state on the issuance
154 of reciprocal licenses to pilots licensed in other states; [(7)] (4) the
155 enhancement of safety and protection of the marine environment
156 during the operation of vessels and the prevention of oil spills and
157 other marine incidents; [(8)] (5) the proper equipment required on a
158 vessel and the operation of vessels used by pilots for embarkation and
159 disembarkation; [(9)] (6) the designation of pilot boarding stations;
160 [(10)] (7) the proper safety equipment provided by vessels to enable
161 pilots to safely board vessels; [(11)] (8) the state's policy relative to
162 matters of interstate pilotage; and [(12)] (9) any other matter requested
163 by the commissioner.

164 [(f)] (g) The commission shall: [, at the request of the commissioner:] (1)
165 Assist in the preparation of examinations for pilot licensure and other
166 operating certificates; (2) evaluate the examination results of applicants
167 for a pilot license and make appropriate recommendations concerning
168 such applicants' qualifications; (3) assist in the review and monitoring
169 of the performance of pilots, including compliance with state policies,
170 procedures and regulations; (4) review applications for reciprocal
171 licensure and make appropriate recommendations concerning such
172 pilot's qualifications; (5) recommend the duties of pilots for the
173 reporting of faulty pilot boarding and disembarkation systems and of
174 violations of any state laws; (6) review and investigate any marine
175 incident or casualty and conduct hearings to determine the causes of
176 any such incident; (7) investigate and make recommendations on
177 disciplinary measures, including such measures as letters of caution,
178 admonition or reprimand and licensure suspension or forfeiture,
179 including disciplinary matters relative to alcohol or drug abuse; (8)
180 retain an independent investigator to compile a comprehensive factual
181 record of any marine incident or casualty; (9) assist in the review of
182 complaints filed with the commissioner; and (10) assist in the
183 preparation of any report or matter relative to pilotage.

184 Sec. 4. Subsection (c) of section 13a-80 of the general statutes is
185 repealed and the following is substituted in lieu thereof (*Effective from*
186 *passage*):

187 (c) Notwithstanding the provisions of sections 3-14b, as amended,
188 and 4b-21, [to the contrary,] no residential property upon which a
189 single-family dwelling is situated at the time it is obtained by the
190 department for highway purposes may be sold or transferred pursuant
191 to this section within twenty-five years of the date of its acquisition
192 without the department first offering the owner or owners of the
193 property at the time of its acquisition a right of first refusal to purchase
194 the property at the amount of its appraised value as determined in
195 accordance with the provisions of subsection (b) of this section, except
196 for property offered for sale to municipalities prior to July 1, 1988.
197 Notice of such offer shall be sent to each such owner by registered or
198 certified mail, return receipt requested, within one year of the date a
199 determination is made that such property is not necessary for highway
200 purposes. Any such offer shall be terminated by the department if it
201 has not received written notice of the owner's acceptance of the offer
202 within sixty days of the date it was mailed. Whenever the offer is not
203 so accepted, the department shall offer parcels which meet local
204 zoning requirements for residential or commercial use to other state
205 agencies and shall offer parcels which do not meet local zoning
206 requirements for residential or commercial use to all abutting
207 landowners in accordance with department regulations. [The
208 Commissioner of Transportation] If the sale or transfer of the property
209 pursuant to this section results in the existing property of an abutting
210 landowner becoming a nonconforming use as to local zoning
211 requirements, the Commissioner of Transportation may sell or transfer
212 the property to that abutter without public bid or auction. The
213 commissioner shall adopt regulations, in accordance with the
214 provisions of chapter 54, establishing procedures for the disposition of
215 excess property pursuant to the provisions of this subsection in the
216 event such property is owned by more than one person.

217 Sec. 5. Section 10a-92 of the general statutes is repealed and the
218 following is substituted in lieu thereof (*Effective from passage*):

219 The Board of Trustees of the Connecticut State University System
220 shall appoint a committee at each campus to establish traffic and

221 parking regulations for passenger vehicles on such campus. Such
222 traffic committee, subject to the approval of said board and of the State
223 Traffic Commission, may prohibit, limit or restrict the parking of
224 passenger vehicles, determine speed limits, install stop signs, restrict
225 roads or portions thereof to one-way traffic and designate the location
226 of crosswalks on any portion of any road or highway subject to the
227 care, custody and control of said board of trustees, order to have
228 erected and maintained signs designating such prohibitions or
229 restrictions, and impose a fine upon any person who fails to comply
230 with any such prohibition or restriction. Violation of any provision of
231 this section shall be an infraction. All fines so imposed at each state
232 university, less an amount not to exceed the cost of enforcing traffic
233 and parking regulations, shall be deposited in the institutional
234 operating account of such state university for scholarships and library
235 services or acquisitions. The Board of Trustees of the Connecticut State
236 University System shall establish at each campus a committee which
237 shall hear appeals of penalties assessed for parking or traffic violations.
238 The membership of both the committee to establish traffic and parking
239 regulations and the committee to hear traffic violation appeals shall
240 include student and faculty representation.

241 Sec. 6. Subsection (f) of section 13a-26 of the general statutes is
242 repealed and the following is substituted in lieu thereof (*Effective July*
243 *1, 2006*):

244 (f) The provisions of this part restricting the use and
245 accommodation of motor vehicle traffic on parkways to
246 noncommercial vehicles shall not apply to use of the Merritt and
247 Wilbur Cross Parkways by (1) taxicabs, as defined in section 13b-95, (2)
248 vanpool vehicles, as defined in section 14-1, as amended, [or] (3)
249 service buses or two-axle, four-wheeled type II, registered school buses
250 with a gross vehicle weight rating of nine thousand six hundred
251 pounds or less, which are owned by or under contract to a public,
252 private or religious school or public school district and which are
253 engaged in the transportation of school children to and from school or
254 school activities, provided such service buses conform to the

255 regulations establishing the maximum weight, length, height or width
256 of vehicles permitted to use such parkways and such school buses are
257 no more than ninety-eight inches high, eighty-four inches wide and
258 two hundred three inches long, or (4) motor vehicles in livery service,
259 as defined in section 13b-101, provided such motor vehicles cannot
260 accommodate more than ten passengers. The State Traffic Commission
261 shall adopt regulations in accordance with chapter 54 establishing the
262 maximum allowable length and height for any vanpool vehicle using
263 said Merritt and Wilbur Cross Parkways and, not later than July 1,
264 1984, publish in the Connecticut Law Journal a notice of intent to adopt
265 proposed regulations, as defined in section 4-166, reducing the
266 maximum weight, length, height or width of, or limiting the
267 registration classes of, motor vehicles permitted to use such parkways,
268 in order to fully carry out the prohibition on the operation of
269 commercial motor vehicles on such parkways.

270 Sec. 7. (*Effective from passage*) (a) Notwithstanding the provisions of
271 section 13b-97 of the general statutes and any regulations issued
272 thereto, no new taxicab certificates shall be issued during the period
273 ending one year after the effective date of this section while a task
274 force studies the regulation of the taxicab industry.

275 (b) There is established a task force to study the state's taxi industry.
276 Such study shall include, but not be limited to, an examination of (1)
277 the current taxicab regulatory scheme, (2) the standard for the issuance
278 of taxicab certificates, (3) the procedure for licensing taxicab operators,
279 (4) the possible repetition of functions currently existing in taxicab
280 oversight, (5) procedures surrounding public hearings and the need
281 and necessity of such hearings, (6) governance and resources, and (7)
282 any and all other matters that may come to the task force's attention.

283 (c) The task force shall consist of the following members:

284 (1) The Commissioner of Transportation, or the commissioner's
285 designee;

286 (2) The Commissioner of Motor Vehicles, or the commissioner's

287 designee;

288 (3) The Secretary of the Office of Policy and Management, or the
289 secretary's designee;

290 (4) The Commissioner of Consumer Protection, or the
291 commissioner's designee;

292 (5) Two representatives of the Connecticut Taxicab Association; and

293 (6) The cochairpersons and ranking members of the joint standing
294 committee of the General Assembly having cognizance of matters
295 relating to transportation, or their designees.

296 (d) Any member of the task force appointed under subdivision (1),
297 (2), (3), (4), (5) or (6) of subsection (c) of this section may be a member
298 of the General Assembly.

299 (e) All appointments to the task force shall be made no later than
300 thirty days after the effective date of this section. Any vacancy shall be
301 filled by the appointing authority.

302 (f) The speaker of the House of Representatives and the president
303 pro tempore of the Senate shall select the chairpersons of the task
304 force, from among the members of the task force. Such chairpersons
305 shall schedule the first meeting of the task force, which shall be held no
306 later than sixty days after the effective date of this section.

307 (g) The administrative staff of the joint standing committee of the
308 General Assembly having cognizance of matters relating to
309 transportation shall serve as administrative staff of the task force.

310 (h) Not later than January 1, 2007, the task force shall submit a
311 report on its findings and recommendations to the joint standing
312 committee of the General Assembly having cognizance of matters
313 relating to transportation, in accordance with the provisions of section
314 11-4a of the general statutes. The task force shall terminate on the date
315 that it submits such report or January 1, 2007, whichever is later.

316 Sec. 8. (*Effective from passage*) The segment of Route 160 from the
 317 intersection of Route 160 and Route 99 easterly to its junction with
 318 Meadow Road in Rocky Hill shall be designated the "Donna
 319 Askintowicz Witherell Memorial Highway".

320 Sec. 9. (*Effective from passage*) Bridge number 06288 on Route 3
 321 northbound over the Route 3 ramp number 802 shall be designated the
 322 "Employer Support of the Guard and Reserve Memorial Bridge".

323 Sec. 10. (*Effective from passage*) State Road 504 in Hartford between
 324 Flatbush Avenue and the junction of I-84 shall be designated the
 325 "William J. Hilliard Memorial Highway".

326 Sec. 11. (*Effective from passage*) State Road 530 in Hartford shall be
 327 designated the "Julian A. Nesta Memorial Highway".

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	14-262
Sec. 2	<i>from passage</i>	14-264
Sec. 3	<i>from passage</i>	15-13c
Sec. 4	<i>from passage</i>	13a-80(c)
Sec. 5	<i>from passage</i>	10a-92
Sec. 6	<i>July 1, 2006</i>	13a-26(f)
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In subsection (c) of section 4, the new language was rewritten for clarity and consistency with statutory form.

TRA *Joint Favorable Subst.*